



4555-107 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Austin, R. et al.

Serial No. 09/707,892

Filed: November 6, 2000

For: ELECTRODE-LESS
DIELECTROPHORESIS FOR
POLARIZABLE PARTICLES

Group Art Unit: TBD
Examiner: TBD

Commissioner for Patents
Washington, D.C. 20231

SIR:

COMMUNICATION

It has come to the attention of Applicant's attorney that the Response to Notice to File Missing Parts for the above-described application, which was filed via First Class Mail on May 31, 2001, has not been received by the U.S. Patent Office. Applicant hereby encloses a complete copy of the filed Response, including copies of the following: acknowledgement postcard, Response to Notice to File Missing Parts form, fully-executed Declaration, check for \$120 and original Notice to File Missing Parts form, including a one-month extension of time. Applicant submits that the Notice of File Missing Parts was filed within the term for response.

Applicant hereby also requests under the provisions of 37 CFR 1.136(a) that the period for filing a response to the above-identified Notice to File Missing Parts of Application, mailed March 8, 2001, be extended for five months to October 9, 2001, if necessary. The Commissioner is authorized to charge any additional extension fees for deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,



Diane Dunn McKay
Reg. No. 34,586
Attorney for Applicants

DATE: October 9, 2001

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10/10/01

✓ Sector



4555-107 US

EXPRESS MAIL CERTIFICATE

“Express Mail” Mailing Label Number: EL912767602US

Express Mail Corporate Account Number: X079384

Date of Deposit: October 9, 2001

Type of Documents:

1. Acknowledgment Post Card;
2. “Express Mail” Certificate;
3. Communication;
4. Copy of Response to Notice to File Missing Parts originally mailed May 31, 2001 including copy of signed Declaration, copy of acknowledgement postcard, copy of check for \$120 and copy of Notice to File Missing Parts of Nonprovisional Application; and
5. Check in the amount of \$1,010.00.

I hereby certify that this paper or fee is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents, Washington, D.C. 20231; BOX: Missing Parts.

Diane Dunn McKay

(Typed or printed name of person mailing paper or fee)

A handwritten signature in black ink, appearing to read "Diane Dunn McKay".

(Signature of person mailing paper or fee)



TITLE: Electrode-Less Dielectrophoresis for

CASE NO.: 4555-107 US

SERIAL NO.: 09/707, 812

The Patent and Trademark Office acknowledges, and has stamped hereon, the date of the receipt of the items checked below and acknowledges authority to charge all fees to Account 13-2165.

PATENT APPLICATION - COMPLETE WITH:

FEE AUTHORITY (x2) CHECK
 PRIORITY DOCUMENT
 ____ SHEETS OF (IN) FORMAL DRAWINGS
 DECLARATION & POWER OF ATTORNEY (Signed)
 EXPRESS MAIL CERT. # _____
 SMALL ENTITY STATEMENT *\$120.00*

AMENDMENT ASSIGNMENT CHECK APPEAL NOTICE

APPEAL BRIEF LETTER PETITION

PRELIMINARY STATEMENT PRIOR ART STATEMENT

STIPULATION EXTENTION OF TIME

NOTICE OF OPPOSITION

ISSUE FEES: BASE ISSUE SUPPLEMENTAL

CERTIFICATE OF CORRECTION
 DECLARATION

TRADEMARK APPLICATION - COMPLETE WITH:

FEE AUTHORITY (x2) CHECK
 DRAWING SPECIMEN (x5)
 PRIORITY DOCUMENT

COPYRIGHT APPLICATIONS - COMPLETE WITH:

TRANSMITTAL LETTER
 CHECK
 SPECIMENS

Response to Notice to File missing parts
 Copy of Notice MATTHEWS, COLLINS, SHEPHERD & GOULD
to file missing parts. *DDW*



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/707,892	11/06/2000	Robert H. Austin	4555-107US

Diane Dunn McKay
 Mathews Collins Shepherd & Gould PA
 100 Thaneet Circle
 Suite 306
 Princeton, NJ 08540

FORMALITIES LETTER



OC000000005840559

Date Mailed: 03/08/2001



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

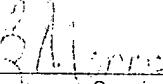
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

A copy of this notice MUST be returned with the reply.


 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/12/2001 WABRHAM1 00000034 132165 09707892

01 FC:205

65.00 CH

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)

Docket No.
4555-107 US

In Re Application Of: AUSTIN, R. et al.

OCT 09 2001

Serial No.
09/707,892

Filing Date
11/06/2000

Examiner
TBD

Group Art Unit
TBD

Invention: ELECTRODE-LESS DIELECTROPHORESIS FOR POLARIZABLE PARTICLES

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
March 8, 2001

Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- 1 verified small entity declaration(s)
 - is/are attached.
 - ~~was/were filed~~ Applicants submit that they qualify as a Small Entity.
- A separate request for refund.
- Other (list):

10/12/0001 WABR/HAM1 00000034 132165 09707892

02 FD:15

55.00 CH

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)

Docket No.
4555-107 US

In Re Application Of: AUSTIN, R. et al.

Serial No.
09/707,892

Filing Date
11/06/2000

Examiner
TBD

Group Art Unit
TBD

Invention: ELECTRODE-LESS DIELECTROPHORESIS FOR POLARIZABLE PARTICLES

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

Completion of application fees as calculated below:

Utility application filing fee _____

Design application filing fee _____

Total number of independent claims = _____

Total number of claims = _____

Multiple dependent claims _____

SurchARGE for late payment of filing fee and/or late filing of original declaration or oath \$65.00

Petition and fee for filing by other than all the inventors or a person not the inventor _____

Fee for processing an application filed with a non-English language specification _____

Fee for processing and retention of application _____

Total completion of application fees \$65.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month Two months Three months Four months Five months

from: May 8, 2001 Date until: June 8, 2001 Date

Total time extension fees \$55.00

Total fees due \$120.00

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)

Docket No.
4555-107 US

In Re Application Of: AUSTIN, R. et al.

Serial No.	Filing Date	Examiner	Group Art Unit
09/707,892	11/06/2000	TBD	TBD

Invention: ELECTRODE-LESS DIELECTROPHORESIS FOR POLARIZABLE PARTICLES

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of **\$120.00** is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 13-2165
A duplicate copy of this sheet is enclosed.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 13-2165
A duplicate copy of this sheet is enclosed.


Signature

Dated: May 31, 2001

Diane Dunn McKay

Reg. No. 34,586

Mathews, Collins, Shepherd & Gould, P.A.
100 Thanet Circle, Suite 306
Princeton, NJ 08540
(609) 924-8555 Telephone
(609) 924-3036 Facsimile

I certify that this document and fee is being deposited on May 31, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

CC:

Diane Dunn McKay

Typed or Printed Name of Person Mailing Correspondence